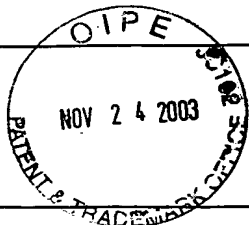


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U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICERECEIVED  
DEC 01 2003  
TECH CENTER 1600/3500**AMENDMENT TRANSMITTAL  
LETTER AND REQUEST FOR  
EXTENSION OF TIME  
PURSUANT TO 37 C.F.R. § 1.136(a)**Docket Number:  
1662/55702Application Number  
10/066,850Filing Date  
February 4, 2002Examiner  
BINTA M.  
ROBINSONArt Unit  
1625Invention Title  
**PROCESS FOR THE PRODUCTION OF  
SUBSTITUTED 2-(2 PYRIDYLMETHYL)  
SULFINYL-IH-BENZIMIDAZOLES**Inventors  
AVRUTOV, et al.Address to:  
Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450I hereby certify that this correspondence is being deposited with the United States  
Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450  
onDate: 10/20/03 Reg. No. 46,877Signature: *Robert Kory*

Transmitted herewith are:

1. Amendment Under 37 C.F.R. § 1.116 and Request for Extension of Time pursuant to 37 C.F.R. § 1.136(a) along with four (4) attachments.

Applicants respectfully request a three month extension of time in which to respond to the Final Office Action, for which a response period expiring on August 20, 2003 was set. The extended period expires on November 20, 2003. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.136(a) extension fee of **\$950.00** to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.

2. Statement of Substance of Interview.
3. Notice of Appeal.
4. The filing fee has been calculated after entry of the accompanying Amendment as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA	RATE (\$)	FEE (\$)
TOTAL CLAIMS	123	minus	117	6	18.00	48.00
INDEPENDENT CLAIMS	14	minus	9	5	84.00	420.00
MULTIPLE DEPENDENT CLAIM ADDED					280.00	0.00
				TOTAL		468.00
				SMALL ENTITY TOTAL		

5. Please charge the required additional claims fee of **\$468.00** to deposit account number **11-0600**.
6. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**:
  - A. Any additional filing fees required under 37 C.F.R. § 1.16;
  - B. Any additional patent application processing fees under 37 C.F.R. § 1.17;
  - C. Any additional patent issue fees under 37 C.F.R. § 1.18;
  - D. Any additional document supply fees under 37 C.F.R. § 1.19;
  - E. Any additional post-patent processing fees under 37 C.F.R. § 1.20; or
  - F. Any additional miscellaneous fees under 37 C.F.R. § 1.21.
7. A copy of this letter is enclosed.

Dated:

11/20/03

By:

*Siu K. Lo*  
Siu K. Lo (Reg. No. 46,877)

**KENYON & KENYON**  
One Broadway  
New York, N.Y. 10004  
(212) 425-7200 (telephone)  
(212) 425-5288 (facsimile)



1662/55702

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Ilya AVRUTOV *et al.*

Serial No.: 10/066,850

Filing Date: February 4, 2002

For: PROCESS FOR THE PRODUCTION OF  
SUBSTITUTED 2-(2-PYRIDYLMETHYL)  
SULFINYL-1H-BENZIMIDAZOLES

Art Unit : 1625

Examiner : ROBINSON,  
BINTA M.

Mail Stop AF  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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in an envelope addressed to:  
Mail Stop AF  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450  
on

Date: 11/20/03  
Signature: *mx Snel*

**STATEMENT OF SUBSTANCE OF INTERVIEW**

S I R :

Applicants appreciated Examiner Robinson for her courtesies extended to the  
Applicants' representatives in the telephonic interview conducted on November 20, 2003.  
We provide the following Statement of the Substance of Interview in compliance with MPEP  
§ 713.04:

- (A) Exhibits: No exhibit or demonstration was conducted.
- (B) Claims: Rejected claims (i.e., claims 16 and 25-28) were discussed.
- (C) Prior art: None.
- (D) Amendments: Rule 116 Amendment is submitted herewith.
- (E) Principal Arguments of Applicant: The applicants' representatives pointed out  
that the trademark term "OXONE" has a dictionary meaning and is definite.  
As such, it meets the PTO requirements as well as the requirements under *In  
re Metcalfe*, 410 F2d 1378 (CCPA 1969).

- (F) Other matters: The applicants' representatives indicated the willingness of further negotiations regarding the rejected claims after the Examiner reviews the Arguments submitted herewith in the Amendment. If Examiner Robinson maintains her rejections, Applicants' representatives expressed the willingness of accepting the allowable claims and to file a continuation to pursue rejected claims in order to advance the prosecution.
- (G) No Agreement: Although an agreement was not reached, the Examiner expressed that she would consider our arguments and would call the Applicants' representatives before the issuance of an Advisory Action.

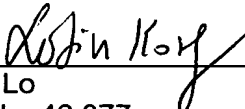
Although not believed to be necessary, the Office is hereby authorized to charge any additional fees required under 37 C.F.R. § 1.16 or § 1.17, or credit any overpayments, to Deposit Account No. 11-0600.

The Examiner is invited to contact the undersigned attorney at (212) 908-6018 to discuss any matter concerning this application.

Respectfully submitted,

KENYON & KENYON

Dated: November 20, 2003

By:   
Siu K. Lo  
Reg. No. 46,877

One Broadway  
New York, NY 10004